

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

PATRICK A. LINGO,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:06-CV-1392 CAS
	)	
STEVE M. BURLE, et al.,	)	
	)	
Defendants.	)	

**ORDER**

This matter is before the Court on defendant SLC Holdings, LLC's filing titled as a "Motion to Clarify." Although filed as a motion for clarification, the motion actually seeks an order requiring plaintiff to execute a protective order and confidentiality agreement prior to the production of certain discovery by defendant. The motion arises out of a stipulated order prepared by the parties and issued by the Court on January 25, 2008.

On January 25, 2008, the parties were scheduled for a hearing on plaintiff's motion to compel. Prior to the hearing, the parties notified the Court that they had reached an agreement on the motion. The parties formalized their agreement in a "Memorandum for Clerk," which the Court entered as an order. Defendant now states that following the issuance of the stipulated order, the parties have come to a disagreement regarding its scope.

The January 25, 2008 stipulated order states:

Plaintiff's Motion to Compel is hereby sustained. [Doc. 60] Defendant shall produce the documents responsive to Plaintiff's request within 14 days from the date of this Order. Defendants may file the documents under Seal with this Court.

Defendant represents that at the time of drafting the stipulated order, the parties agreed that defendant would “file any financial information under seal, or, in the alternative that the parties would first sign a Protective Order agreeable to both.” Defendant states further that “the parties have agreed that as part of its agreed order of January 25, 2008, that plaintiff would sign a Protective Order keeping any information disclosed confidential.” As evident from its face, the January 25, 2008 order does not mention any protective order or confidentiality agreement.

Although titled as a motion for clarification, defendant’s motion does not seek clarification, but rather seeks an order requiring plaintiff to execute a protective order and confidentiality agreement. To the extent defendant seeks a protective order, it should file a motion for protective order with the Court. Such a motion is a motion relating to discovery and disclosure and must comply with Local Rule 3.04(A) and the Case Management Order issued in this case.

**IT IS HEREBY ORDERED** that defendant’s motion to clarify is **DENIED**. [Doc. 64]

A handwritten signature in black ink, appearing to read "Charles A. Shaw", written over a horizontal line.

**CHARLES A. SHAW**  
**UNITED STATES DISTRICT JUDGE**

Dated this 25th day of February, 2008.